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C O N F I D E N T I A L SECTION 01 OF 03 COLOMBO 001910

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DEPARTMENT FOR SCA/INS - PLEASE PASS USTR, DOUGLAS HARTWICK

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SUBJECT: MALDIVES: GOVERNMENT ACTION STYMIES PLANNED
OPPOSITION PROTEST

REF: COLOMBO 1827

Classified By: Ambassador Robert O. Blake, Jr. Reasons: 1.4(b) and (d)

11. (SBU) SUMMARY: The opposition Maldivian Democratic Party (MDP) planned a November 10 demonstration in Male' to demand quicker constitutional reform. The Government of the Republic of Maldives (GORM) claimed the opposition would use the guise of a peaceful protest to possibly foment a coup. Several GORM press statements reported intelligence about planned violence, and police made 31 pre-emptive arrests in the two weeks leading up to November 10. The opposition denied charges of violence and accused the government of deliberately limiting freedom of assembly through intimidation. The November 10 demonstration did not materialize, though an atmosphere of tension prevailed in Male'. A British journalist and an American journalist were expelled from Maldives, and the GORM asked several diplomatic missions to delay trips until after November 10. In addition, the November 3 sentencing in absentia of an opposition activist and his subsequent arrest and transport to jail to serve out his sentence raised concerns about due process. End summary.

CONFLICTING EXPLANATIONS OF PLANNED NOVEMBER 10 PROTEST

12. (C) On October 4, the opposition Maldivian Democratic Party National Council called for a November 10 protest during which party members throughout the atolls would descend on Male' to demand faster constitutional reform. On October 30, the Government of the Republic of Maldives (GORM) labeled the planned demonstration illegal, violent, and an attempt to incite a revolution. A GORM press release quoted MDP vice-president (and former SAARC Secretary-General) Ibrahim Hussain Zaki's October 13 speech advocating an overthrow of the government with references to other revolutions. In a November 14 phone conversation with poloff, UNICEF Resident Representative Ken Maskall called the government's accusations "preposterous." He said they were a government strategy to justify a crack down to the international community.

13. (U) In response to government allegations, the MDP published a statement committing to a peaceful protest and

outlining the need for quicker reform. The MDP statement noted that the president has appointed 29 of the 113 parliamentarians in the Special Majlis (constitutional parliament), thereby throwing up obstacles to reform. The MDP proposed 13 constitutional amendments to speed up the process, and urged its members to use the November 10 demonstration to voice these demands. However, not all MDP members supported the protest; on October 21 some opposition parliamentarians published a statement refusing to endorse it.

GORM LIMITS INTERNATIONAL SCRUTINY

14. (C) Ambassador Blake said in an October 31 press conference following his presentation of credentials to President Gayoom that both sides should show restraint, and peaceful assembly as enshrined in the Maldivian constitution should be permitted. He underscored that message in private meetings with both government and opposition representatives (reftel). MDP Secretary-General Hamid Abdul Gafoor met poloff in Colombo October 31 and said he was requesting that several diplomatic missions send observers to the November 10 demonstration. However, a British diplomat informed us the same day that the GORM had asked the UK High Commissioner to delay his planned visit until after November 10. The Australian and Canadian missions also reported that the GORM requested they put off trips to Male'.

15. (U) Between October 30 and November 10, the GORM published statements almost daily citing "intelligence" that a violent faction in the opposition would use weapons and commit arson.

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Police made 31 pre-emptive arrests. On November 5, police in Thinadoo detained and questioned a British freelance photographer on assignment for the Observer and an American journalist accredited to Maldives' pro-opposition Minivan (Independent) News. Local police looked at the journalists' photos and listened to their recorded interviews, then asked the journalists to erase much of the material. The two refused, and were released without charge four hours later after erasing one audio file.

16. (C) When the foreign journalists transited through Male' Airport, immigration authorities detained them and said they should leave the country voluntarily or face deportation. They were held at the airport overnight and permitted to board available flights the following day. A November 6 government press release said the two were not journalists, nor accredited to any reputable publication. (The American had a valid permit issued by the Maldivian Ministry of Employment allowing him to work as a journalist for Minivan News.) The statement accused them of canvassing support for the November 10 demonstration and "destabilizing the socio-political fabric of the country," a charge both reporters denied. On November 6 the British diplomat reported that his Embassy had called Deputy Foreign Minister Didi regarding the case of their expelled journalist, noting for the record that while every country was entitled to make immigration decisions, the case of the journalist would appear throughout the British media and harm the Maldives' image.

LARGE PROTEST FORMALLY CANCELLED, SMALL DEMONSTRATIONS ENSUE

17. (C) In the wake of the pre-emptive arrests and the government interception of one boat carrying demonstrators to Male', the opposition formally called off the November 10 protest. UNICEF's Maskall said the government was able to blockade islands and effectively limit the demonstration, but he was uncertain of the actual number of detainees being held

and formally charged. Despite canceling the November 10 event, the opposition held several small demonstrations November 6-9. British journalist David Browne, who was in Male' November 8-10, met with police in Colombo November 12. He reported that MDP supporters verbally baited police, then ran away. He said police appeared increasingly angry, but behaved with restraint.

18. (C) Browne said that on November 8 he and another group of British nationals were having dinner when police came to escort them to the airport so immigration authorities could question them. Browne said police were rough and somewhat aggressive, though not physically abusive. He and four others were taken by boat to the airport island, where officials asked whether they had any connection to a group called "Global Protection Force" (GPF). All answered they were not affiliated with the group, but had seen young people in GPF t-shirts observing the protests. Police responded that the GPF members were mercenaries planning a coup, a charge Browne found completely implausible.

OPPOSITION ACTIVIST, IN MALE, SENTENCED "IN ABSENTIA"

19. (U) On November 2 MDP activist Ahmed Abbas was sentenced "in absentia" to six months in prison - despite being in Male' at the time. Abbas was charged with disobedience to order (tantamount to incitement) for his August 2005 comment to Minivan Daily News that "police should be sought out individually and made to feel that physical abuse causes pain." Abbas reported that he first learned of his trial and sentencing on November 2, 2006 when he read an article about it on a pro-government website. According to the report, a court in Male' tried Abbas in absentia, found him guilty, and sentenced him. Abbas has stated that he was previously unaware of the hearing or the sentencing, so he contacted a relative working in the Ministry of Justice for

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clarification. The Ministry of Justice employee confirmed that the court had sentenced Abbas, who then sought asylum at both the Indian High Commission and the UN. The GORM asked the UN to turn Abbas over to the authorities. The UN complied on November 3, after the GORM gave assurances to the UN Resident Representative that Abbas would not be harmed and would have access to legal representation. Abbas was transported first to the Dhoonidoo interrogation facility, and then to Maafushi jail to serve out his sentence.

110. (C) On November 7 the Ambassador phoned Attorney General Hassan Saeed to express concern about Abbas's case. The Ambassador noted that due process may not have been served, and urged that Abbas be permitted to lodge an appeal and have access to legal counsel. The Ambassador added that the continued prosecution of cases under old, restrictive legislation did not maintain the spirit of the reform roadmap, and encouraged the Attorney General to review all cases in light of international best practices. Saeed explained that Abbas had been tried in accordance with local guidelines, which called for a trial in absentia only after repeated attempts to contact the accused. The AG's office then sent us information on Abbas's case, noting that police made several attempts to deliver summonses, and his trial was announced on the radio with the caveat that he would be tried in absentia if he failed to appear. According to the AG's office, Abbas can appeal the case on its merits and will be permitted to hire a lawyer if he so chooses.

COMMENT

111. (C) The government churned out daily propaganda in the lead-up to November 10, creating a pervasive atmosphere of stringent control reminiscent of Maldives' restrictive past.

While some opposition members acted in a provocative manner it is highly unlikely the MDP was actually planning violently to overthrow the government. It is more plausible the opposition was trying to provoke an over-reaction to raise the international profile of the stagnating reform process. Ultimately, it was a failure for the MDP, since a mass gathering never materialized and police behaved with restraint in the face of provocation. Despite its methodology, however, the MDP did make a valid point. Government conduct during the first weeks of November failed to match up to its reform rhetoric. As expectations rise and neither the government nor the opposition deliver meaningful systemic change, the population may grow increasingly frustrated. Elements in the MDP will continue to advocate street action to bring about political objectives, while some in government continue to push back. We have been urging moderates on both sides to work together to move the reform process forward to ensure a peaceful transition to a modern democracy, and will continue to reiterate that message to contacts across the political spectrum. End comment.

BLAKE